

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 326 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

HOUSE BILL 1170

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE  
11 DEPARTMENT OF EDUCATION - ARKANSAS SCHOOL FOR THE  
12 BLIND FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
13 2009; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 AN ACT FOR THE DEPARTMENT OF EDUCATION  
17 - ARKANSAS SCHOOL FOR THE BLIND  
18 APPROPRIATION FOR THE 2007-2009  
19 BIENNIUM.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES. There is hereby established for the  
26 Department of Education - Arkansas School for the Blind for the 2007-2009  
27 biennium, the following maximum number of regular employees whose salaries  
28 shall be governed by the provisions of the Uniform Classification and  
29 Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and  
30 all laws amendatory thereto. Provided, however, that any position to which a  
31 specific maximum annual salary is set out herein in dollars, shall be exempt  
32 from the provisions of said Uniform Classification and Compensation Act. All  
33 persons occupying positions authorized herein are hereby governed by the  
34 provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas  
35 Code §21-5-101), or its successor.



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			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	2007-2008	2008-2009
(1)	9948	ED SUPT BLIND SCHOOL	1	\$83,309	\$84,975
(2)	E015	ED SCHOOL PRINCIPAL	2	GRADE 23	
(3)	A032	AGENCY FISCAL MANAGER	1	GRADE 22	
(4)	909Z	PROGRAM SUPPORT MANAGER	1	GRADE 22	
(5)	L030	DIETARY SERVICES DIRECTOR	1	GRADE 21	
(6)	R298	AGENCY PROGRAM COORDINATOR	1	GRADE 21	
(7)	L070	NURSE II	1	GRADE 20	
(8)	E077	TEACHER F/T SENSORY IMPAIRED IV	18	GRADE 20	
(9)	E136	ORIENTATION & MOBILITY SPECIALIST	2	GRADE 19	
(10)	A110	ACCOUNTANT II	1	GRADE 19	
(11)	E039	LIBRARIAN III	2	GRADE 19	
(12)	E063	TEACHER F/T SENSORY IMPAIRED III	23	GRADE 19	
(13)	R030	ASST PERSONNEL MANAGER	1	GRADE 19	
(14)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
(15)	M039	HOUSEPARENT SUPERVISOR	2	GRADE 17	
(16)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
(17)	L115	LPN II/LPTN II	2	GRADE 15	
(18)	M034	HOUSEPARENT II	16	GRADE 15	
(19)	K153	SECRETARY II	2	GRADE 13	
(20)	G115	NURSERY ASST & GROUNDSKEEPER SUPV	2	GRADE 13	
(21)	E027	INSTITUTIONAL TEACHER ASSISTANT	4	GRADE 13	
(22)	G111	MAINT WORK PLANNER & SCHEDULER	1	GRADE 11	
(23)	K155	SECRETARY I	1	GRADE 11	
(24)	H005	BAKER II	1	GRADE 10	
(25)	H027	COOK II	3	GRADE 10	
(26)	H053	FOOD SERVICE WORKER III	1	GRADE 08	
(27)	H043	FOOD SERVICE WORKER II	5	GRADE 05	
(28)	G035	CUSTODIAL WRKR II	3	GRADE 04	
(29)	G075	HOUSEKEEPER	<u>1</u>	GRADE 04	
MAX. NO. OF EMPLOYEES			102		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Department of Education - Arkansas School for the Blind for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: seventeen (17) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Blind, to be payable from the School for the Blind Fund Account, for personal services and operating expenses of the Department of Education - Arkansas School for the Blind - State Operations for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 3,314,972	\$ 3,381,231
(02) EXTRA HELP	15,000	15,000
(03) PERSONAL SERVICES MATCHING	1,128,375	1,142,767
(04) OVERTIME	20,000	20,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	777,500	777,500
(B) CONF. & TRAVEL	17,015	17,015
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	25,000	25,000
(E) DATA PROC.	0	0
(06) SPECIAL MAINTENANCE	250,000	250,000
(07) VOCATIONAL WORKSTUDY	10,000	10,000
(08) SUMMER PROJECTS	<u>90,000</u>	<u>90,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,747,862</u>	<u>\$ 5,828,513</u>

SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Department of Education - Arkansas School for the Blind, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the

1 Department of Education - Arkansas School for the Blind - Federal Operations  
 2 for the biennial period ending June 30, 2009, the following:

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4 ITEM	FISCAL YEARS	
5 NO.	2007-2008	2008-2009
6 (01) REGULAR SALARIES	\$ 172,908	\$ 176,363
7 (02) EXTRA HELP	15,000	15,000
8 (03) PERSONAL SERVICES MATCHING	63,897	64,644
9 (04) MAINT. & GEN. OPERATION		
10 (A) OPER. EXPENSE	186,050	186,050
11 (B) CONF. & TRAVEL	56,382	56,382
12 (C) PROF. FEES	118,432	118,432
13 (D) CAP. OUTLAY	104,000	104,000
14 (E) DATA PROC.	<u>0</u>	<u>0</u>
15 TOTAL AMOUNT APPROPRIATED	<u>\$ 716,669</u>	<u>\$ 720,871</u>

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17 SECTION 5. APPROPRIATIONS - CASH OPERATIONS. There is hereby  
 18 appropriated, to the Department of Education - Arkansas School for the Blind,  
 19 to be payable from cash funds as defined by Arkansas Code 19-4-801 of the  
 20 Department of Education - Arkansas School for the Blind, for operating  
 21 expenses of the Department of Education - Arkansas School for the Blind -  
 22 Cash Operations for the biennial period ending June 30, 2009, the following:

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24 ITEM	FISCAL YEARS	
25 NO.	2007-2008	2008-2009
26 (01) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	\$ 186,508	\$ 186,508
28 (B) CONF. & TRAVEL	13,000	13,000
29 (C) PROF. FEES	100,000	100,000
30 (D) CAP. OUTLAY	50,000	50,000
31 (E) DATA PROC.	0	0
32 (02) SPECIAL MAINTENANCE	<u>75,000</u>	<u>75,000</u>
33 TOTAL AMOUNT APPROPRIATED	<u>\$ 424,508</u>	<u>\$ 424,508</u>

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35 SECTION 6. APPROPRIATION - BRAILLE TEXTBOOKS. There is hereby  
 36 appropriated, to the Department of Education - Arkansas School for the Blind,

1 to be payable from the School for the Blind Fund Account, for purchase of  
 2 Braille and large print textbooks for the blind and visually impaired  
 3 students attending the public schools in Arkansas of the Department of  
 4 Education - Arkansas School for the Blind - Braille Textbooks for the  
 5 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) BRAILLE TEXTBOOKS	\$ 175,000	\$ 175,000

11 SECTION 7. APPROPRIATION - MEDICAID PROVIDER PROGRAM - FEDERAL. There is  
 12 hereby appropriated, to the Department of Education - Arkansas School for the  
 13 Blind, to be payable from the federal funds as designated by the Chief Fiscal  
 14 Officer of the State, for operating expenses of the Department of Education -  
 15 Arkansas School for the Blind - Medicaid Provider Program - Federal for the  
 16 biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 55,000	\$ 55,000
(B) CONF. & TRAVEL	5,000	5,000
(C) PROF. FEES	85,000	85,000
(D) CAP. OUTLAY	50,000	50,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 195,000	\$ 195,000

28 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
 30 PROVISION. Upon approval from the Chief Fiscal Officer of the State, the  
 31 Arkansas School for the Blind shall transfer appropriation from Item No.(08)  
 32 Summer Projects, in Section 3 of this Act, to Item No. (01) through Item No.  
 33 (05) in Section 3 of this Act, to compensate ~~Teachers, Houseparents, Food~~  
 34 ~~Service, Nursing staff~~ staff who work during the summer months on summer  
 35 projects, and to cover other expenses of summer project activities and to  
 36 compensate ~~coaches and organization sponsors~~ employees as referenced in

1 Section 9 of this Act and to compensate eligible staff for shift differential  
2 pay. Such additional compensation shall not be construed as exceeding the  
3 maximum salary authorized for said employees.

4 The provisions of this section shall be in effect only from July 1, 2005  
5 2007 through June 30, ~~2007~~ 2009.

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7 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
9 ALLOWANCE. The Arkansas Schools for the Deaf and Blind may make special  
10 allowances available to any employee who performs one of the following duties  
11 in addition to their normal duties:

- 12 1) Teaching adult education classes, parent training, student tutorial
- 13 services on weekends or evenings
- 14 2) Coaching one or more sports
- 15 3) Sponsoring a club or organization that involves additional hours outside
- 16 of the normal working day
- 17 4) Interpretive Services

18 Compensation for additional duties may not exceed ~~\$3,000~~ \$3,500 per school  
19 term for any one employee during each fiscal year. Such pay shall not be  
20 construed as exceeding the maximum salary authorized for said position.

21 The provisions of this section shall be in effect only from July 1, 2005  
22 2007 through June 30, ~~2007~~ 2009.

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24 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
25 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
26 ADDITIONAL SALARY/COMPENSATION PROVISION. No employee drawing a salary or  
27 other form of compensation from the Arkansas Schools for the Deaf or Blind  
28 shall be paid an additional salary or receive additional compensation, other  
29 than reimbursement for actual expenses, from that agency, nor from any other  
30 agency or institution of higher education, except from the Superintendent's  
31 written certification to and approval by the Chief Fiscal Officer of the  
32 State that the work performed by the employee for the other position does not  
33 interfere with the proper and required performance of the employee's primary  
34 duties, and that the combined salary payments from both positions will not  
35 exceed the maximum annual salary for whichever of the two positions has the  
36 higher authorized maximum annual salary.

1 Any employee knowingly violating the provisions of this section shall be  
 2 subject to immediate termination and shall be barred from employment by any  
 3 agency or institution of the State of Arkansas for a period of not less than  
 4 three (3) years or until such employee shall repay to the State of Arkansas  
 5 any sums received by such employee in violation of this section, together  
 6 with interest at a rate of ten percent (10%) per annum.

7 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 8 2007 through June 30, ~~2007~~ 2009.

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 10 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED  
 12 SERVICES. The Chief Fiscal Officer of the State and the State Treasurer are  
 13 authorized to establish a joint paying account in the State Treasury, upon  
 14 direction of the Board of Trustees for the Arkansas School for the Blind and  
 15 the Arkansas School for the Deaf. The Board may transfer positions, funds  
 16 and appropriations to the paying account from either school to serve both  
 17 schools in the areas of Accounting, Personnel, Inventory, Safety and Health  
 18 Services.

19 Funding and appropriations for this account will be from transfers from  
 20 the fund accounts and appropriations of each agency and shall be divided  
 21 proportionately from each agency based on student population. Said funds  
 22 shall be payable from the joint account as if the positions and other  
 23 budgetary line items of appropriation had originally been established in the  
 24 joint account. Supervision of this account and supervision of the positions  
 25 within may come from either school as determined by the Board of Trustees.

26 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 27 2007 through June 30, ~~2007~~ 2009.

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 29 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. BRAILLE  
 31 AND LARGE PRINT TEXTBOOKS. The State Board of Education shall make reasonable  
 32 rules and regulations to implement the Braille and Large Print Textbooks  
 33 appropriation and is hereby authorized to negotiate directly with publishers  
 34 of Braille and Large Print Textbooks for the purchase of such textbooks.

35 The provisions of this section shall be in effect only from July 1, ~~2005~~  
 36 2007 through June 30, ~~2007~~ 2009.

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SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUMMER SCHOOL EMPLOYEES. Employees who, in addition to working during the regular school term, also work during summer months shall be authorized as additional compensation an amount not to exceed 1/12 of their annual salary for each month or part thereof worked. Such additional compensation shall not be construed as exceeding the maximum salary authorized for said employees. Payment of additional compensation shall be limited to employees in the following classifications:

SUMMER SCHOOL POSITIONS	GRADE
Teacher for the Sens Imp I	17
Teacher for the Sens Imp II	18
Teacher for the Sens Imp III	19
Teacher for the Sens Imp IV	20
Teacher for the Sens Imp Supv	22

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 14. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHERS FOR SENSORY IMPAIRED ENTERING STATE SERVICE. Upon the superintendent's certification to the State Personnel Administrator of prior service at an educational institution and most recent contractual salary, the salary of teachers holding certification in teaching the visually impaired and entering state service as teachers for the sensory impaired may be adjusted to a rate of pay closest to but not less than their most recent annual salary.

The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TEACHER SALARY INCREASE. In the event that an act is enacted in which the public schools receive funds from the General Assembly to raise the salaries of teachers employed in the public school districts, the Arkansas School for the



1 Deaf and the Arkansas School for the Blind shall be included.

2 The provisions of this section shall be in effect only from July 1, 2005  
3 2007 through June 30, ~~2007~~ 2009.

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5 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL  
7 RATES OF PAY. Due to the need to meet the minimum compensation schedule as  
8 established by Act 74 of the 2nd Extraordinary Session of the 84th General  
9 Assembly, or its successor, for public school teachers, counselors, and  
10 librarians and other education professionals as listed in subsection (a)  
11 below, the Arkansas School for the Blind is authorized to adjust current or  
12 new employees to at least the minimum level of compensation for public school  
13 employees.

14 For current or new employees in the positions listed in subsection (a) below,  
15 the Arkansas School for the Blind may implement salary adjustments to  
16 maintain equity between their teacher salaries and those of Central Arkansas  
17 Public School Systems only after a plan for determining and implementing  
18 those adjustments has been reviewed by the Office of Personnel Management and  
19 by the Personnel Committee of the Arkansas Legislative Council and approved  
20 by the Chief Fiscal Officer of the State.

21 For purposes of implementing the plan, the Arkansas School for the Blind is  
22 authorized special rates of pay up to Pay Level IV for classifications listed  
23 in subsection (a) below.

24 (a) CLASS

25	CODE TITLE	GRADE
26	E059 Teacher for the Sensory Impaired I	17
27	E061 Teacher for the Sensory Impaired II	18
28	E063 Teacher for the Sensory Impaired III	19
29	E077 Teacher for the Sensory Impaired IV	20
30	E080 Vocational Instructor I	17
31	E082 Vocational Instructor II	18
32	E076 Vocational Instructor III	19
33	E078 Vocational Instructor IV	20
34	E136 Orientation and Mobility Specialist	19
35	E036 Librarian I	17
36	E037 Librarian II	18

1 E039 Librarian III 19  
2 M026 Counselor I 18  
3 M028 Counselor II 20  
4 E057 Teacher for the Sensory Impaired Supv. 22  
5 E015 Education Principal 23

6 Funding for the minimum compensation provided for in this section that is  
7 supported in whole or in part from general revenues, shall, if required, be  
8 provided by a transfer from the Merit Adjustment Fund to the proper fund or  
9 fund account and in such amounts as determined by the Chief Fiscal Officer of  
10 the State. The Arkansas School for the Blind shall, in addition to the funds  
11 provided in this Act for Annual Career Service Recognition Payments from the  
12 Merit Adjustment Fund, make available any funding generated from agency  
13 salary savings for such purposes from the funds or fund accounts as provided  
14 by law. The provisions of this section shall be in effect only from July 1,  
15 ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

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17 SECTION 17. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
18 by this act shall be limited to the appropriation for such agency and funds  
19 made available by law for the support of such appropriations; and the  
20 restrictions of the State Procurement Law, the General Accounting and  
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
22 Procedures and Restrictions Act, or their successors, and other fiscal  
23 control laws of this State, where applicable, and regulations promulgated by  
24 the Department of Finance and Administration, as authorized by law, shall be  
25 strictly complied with in disbursement of said funds.

26  
27 SECTION 18. LEGISLATIVE INTENT. It is the intent of the General Assembly  
28 that any funds disbursed under the authority of the appropriations contained  
29 in this act shall be in compliance with the stated reasons for which this act  
30 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
31 and Legislative Recommendations contained in the budget manuals prepared by  
32 the Department of Finance and Administration, letters, or summarized oral  
33 testimony in the official minutes of the Arkansas Legislative Council or  
34 Joint Budget Committee which relate to its passage and adoption.

35  
36 SECTION 19. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the  
2 appropriation of funds for more than a two (2) year period; that the  
3 effectiveness of this Act on July 1, 2007 is essential to the operation of  
4 the agency for which the appropriations in this Act are provided, and that in  
5 the event of an extension of the Regular Session, the delay in the effective  
6 date of this Act beyond July 1, 2007 could work irreparable harm upon the  
7 proper administration and provision of essential governmental programs.  
8 Therefore, an emergency is hereby declared to exist and this Act being  
9 necessary for the immediate preservation of the public peace, health and  
10 safety shall be in full force and effect from and after July 1, 2007.

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12 APPROVED: 3/19/2007  
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